

## UNITED STATES DISTRICT COURT

## DISTRICT OF SOUTH DAKOTA

## WESTERN DIVISION

UNITED STATES OF AMERICA,  Plaintiff,  vs.  MATTHEW SHAWN BUCHKO,  Defendant.	CR. 21-50021-JLV   VERDICT
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We, the jury duly empaneled and sworn to try the issues in the case, unanimously find as follows:

**COUNT I**

- 1A. We unanimously find the defendant MATTHEW SHAWN BUCHKO (fill in either "not guilty" or "guilty") GUILTY of Receipt of Child Pornography on or about between April 17, 2014, and February 27, 2020, as charged in count I of the indictment.

If you found the defendant MATTHEW SHAWN BUCHKO not guilty of count I, do not complete the following section. If you found the defendant MATTHEW SHAWN BUCHKO guilty of count I, designate by marking the lines below which of the following images you found to be visual depictions containing child pornography. **Your findings as to each image must be unanimous:**

<u>✓</u> 37	<u>✓</u> 45	<u>✓</u> 53	<u>✓</u> 68
<u>✓</u> 38	<u>✓</u> 46	<u>✓</u> 55	<u>✓</u> 72
<u>✓</u> 39	<u>✓</u> 47	<u>✓</u> 56	<u>✓</u> 73
<u>✓</u> 40	<u>✓</u> 48	<u>✓</u> 57	<u>✓</u> 74
<u>✓</u> 41	<u>✓</u> 49	<u>✓</u> 58	<u>✓</u> 75
<u>✓</u> 42	<u>✓</u> 50	<u>✓</u> 59	
<u>✓</u> 43	<u>✓</u> 51	<u>✓</u> 61	
<u>✓</u> 44	<u>✓</u> 52	<u>✓</u> 62	

- 1B. Answer if, and only if, you found Mr. Buchko not guilty or are unable to reach a unanimous verdict as to the offense of receipt of child pornography in part 1A of this form. If you found Mr. Buchko guilty of receipt of child pornography proceed to count II.

We unanimously find the defendant MATTHEW SHAWN BUCHKO (fill in either "not guilty" or "guilty") \_\_\_\_\_ of possession of child pornography as a lesser included offense of count I as set out in Instruction No. 24.

If you found the defendant MATTHEW SHAWN BUCHKO not guilty of possession of child pornography do not complete the following section. If you found the defendant MATTHEW SHAWN BUCHKO guilty of possession of child pornography, designate by marking the lines below which of the following images you found to be visual depictions containing child pornography. **Your findings as to each image must be unanimous:**

_____ 37	_____ 45	_____ 53	_____ 68
_____ 38	_____ 46	_____ 55	_____ 72
_____ 39	_____ 47	_____ 56	_____ 73
_____ 40	_____ 48	_____ 57	_____ 74
_____ 41	_____ 49	_____ 58	_____ 75
_____ 42	_____ 50	_____ 59	
_____ 43	_____ 51	_____ 61	
_____ 44	_____ 52	_____ 62	

If you found any of the images to be visual depictions containing child pornography, designate by marking the lines below which images, if any, involved a minor who had not attained 12 years of age. **Your findings as to each image must be unanimous:**

_____ 38	_____ 43	_____ 48	_____ 61
_____ 39	_____ 44	_____ 49	_____ 62
_____ 40	_____ 45	_____ 56	_____ 68
_____ 41	_____ 47	_____ 57	_____ 73

**COUNT II**

2. We unanimously find the defendant MATTHEW SHAWN BUCHKO (fill in either "not guilty" or "guilty") GUILTY of Possession of Child Pornography on or about February 27, 2020, as charged in count II of the indictment.

If you found the defendant MATTHEW SHAWN BUCHKO not guilty of count II, do not complete the following section. If you found the defendant

MATTHEW SHAWN BUCHKO guilty of count II, designate by marking the lines below which of the following images you found to be visual depictions containing child pornography. **Your findings as to each image must be unanimous:**

$$\begin{array}{r} 4 \\ \hline 4 \\ \hline \end{array} \begin{array}{r} 78 \\ 79 \end{array}$$
$$\begin{array}{r} 4 \\ \hline 4 \\ \hline \end{array} \begin{array}{r} 80 \\ 83 \end{array}$$

89  
91

DATE JANUARY 20, 2023

Foreperson